CUP 21 g 34/44

By the King,

A PROCLAMATION,

Appointing the Diſtribution of Prizes taken, and the Bounty for Taking or Deſtroying Ships of War or Privateers of the Enemy, from the Time of His Majeſty's Declaration of War againſt *France*.

GEORGE R.

WHEREAS by an Act of Parliament made in the preſent Seſſion of Parliament, intituled, *An Act for the Encouragement of Seamen, and the more ſpeedy and effectual Manning His Majeſty's Navy*; it is, amongſt other Things, enacted, That the Flag Officers, Commanders and other Officers, Seamen, Marines, and Soldiers, on Board every Ship and Veſſel of War, in Our Pay, ſhall have the ſole Intereſt and Property of and in all and every Ship, Veſſel, Goods, and Merchandizes, which they ſhall take from and after the Seventeenth Day of *May*, in the Year of our Lord One thouſand ſeven hundred and fifty ſix, during the Continuance of this War againſt *France* (being firſt adjudged lawful Prize in any of Our Courts of Admiralty in *Great Britain*, or in Our Plantations in *America*, or elſewhere) to be divided in ſuch Proportions, and after ſuch Manner, as We, Our Heirs and Succeſſors, ſhall think fit to order and direct by Proclamation or Proclamations, to be iſſued for thoſe Purpoſes. And as a further Encouragement to the Officers, Seamen, Marines, Soldiers, and others, on Board Our Ships of War, as alſo of Privateers, to attack, take, and deſtroy, any Ships of Force belonging to the Enemy, it is thereby alſo enacted, That there ſhall be paid by the Treaſurer of Our Navy, upon Bills to be made forth by the Commiſſioners of the Navy, to be paid according to the Courſe thereof, without Fee or Reward, unto the Officers, Seamen, Marines, Soldiers, or others, that ſhall have been actually on Board any of Our Ship or Ships of War, or Privateer or Privateers, in any Action where any Ship or Ships of War, or Privateers, ſhall have been taken from the Enemy, ſunk, burnt, or otherwiſe deſtroyed, ſince Our Declaration of War againſt *France*, dated the ſaid Seventeenth Day of *May*, One thouſand ſeven hundred and fifty ſix, Five Pounds for every Man which was living on Board any Ship or Ships ſo taken, ſunk, burnt, or otherwiſe deſtroyed, at the Beginning of the Engagement between them; the Numbers of ſuch Men to be proved by the Oaths of Three or more of the Chief Officers or Men which were belonging to the ſaid Ship or Ships of War, or Privateers of the Enemy, or belonging to any of them, at the Time of her or their being taken as Prize, ſunk, burnt, or otherwiſe deſtroyed, before the Mayor, or other Chief Magiſtrate of the Port, within any of Our Dominions, whereunto any Prize, or Officers, or Men, of ſuch Ships as were ſunk, burnt, or otherwiſe deſtroyed, ſhall be brought, or before the *Britiſh* Conſul, or Vice Conſul, reſiding at any Neutral Port to which ſuch Prize, or Officers, or Men, ſhall be brought; which Oaths the ſaid Mayor, or other Chief Magiſtrate of any ſuch Port, or Conſul, or Vice Conſul, are thereby reſpectively impowered and required to adminiſter, and ſhall forthwith grant a Certificate thereof, without Fee or Reward, directed to the Commiſſioners of the Navy; upon producing which Certificate to the Commiſſioners of Our Navy, together with an authentick Copy of the Condemnation of ſuch Ship ſo taken, or if ſuch Ship be ſunk, burnt, or otherwiſe deſtroyed, on producing only a Certificate from the Mayor or other Chief Magiſtrate, or Conſul, or Vice Conſul, as aforeſaid, the ſaid Commiſſioners of Our Navy, or ſuch Perſon or Perſons as they ſhall appoint for that Purpoſe, ſhall, according to the Courſe of the Navy, within Fifteen Days, make out Bills for the Amount of ſuch Bounty, directed to the Treaſurer of the Navy, payable to, and to be divided amongſt the Officers, Seamen, Marines, and Soldiers, on Board Our Ships of War, in ſuch Manner, Form, and Proportion, as by Our Proclamation to be iſſued for that Purpoſe ſhall be directed and appointed; and amongſt the Owners, Officers, and Seamen, of any private Veſſel or Ship of War, in ſuch Manner as by any Agreement in Writing they ſhall have entered into for that Purpoſe, ſhall be directed: But it is nevertheleſs provided by the ſaid Act, That in all Caſes where ſuch Oath and Certificate cannot be adminiſtered and granted at the Firſt Port whereunto any Prize, or Officers, or Men of ſuch Ships as ſhall be taken, ſunk, burnt, or otherwiſe deſtroyed, ſhall be brought, ſuch Oath or Oaths relating to any Prize or Prizes that ſhall be taken, or to any Ships of Enemies that ſhall be ſunk, burnt, or otherwiſe deſtroyed, as aforeſaid, ſhall and may be adminiſtered and taken by and before the Mayor or other Chief Magiſtrate of any Port within any of Our Dominions, or by or before the *Britiſh* or Vice Conſul, reſiding at any Neutral Port whereunto any Prize or Prizes, or Officers, or Men, of any Ships belonging to Our Enemies, as ſhall be taken, ſunk, burnt, or otherwiſe deſtroyed, ſhall at any Time afterwards be brought (Proof being firſt made, by Affidavit before ſuch Perſon or Perſons, of the Inability of making ſuch Oath or Oaths, and obtaining ſuch Certificate at the ſaid Firſt Port) and the Mayor or other Chief Magiſtrate, Conſul, or Vice Conſul, ſhall thereupon grant ſuch Certificate and Certificates as are therein before directed; which Certificate and Certificates ſhall be good and effectual, to all Intents and Purpoſes, as if the ſame were granted by the Mayor or other Chief Magiſtrate, Conſul, or Vice Conſul, of the Port to which ſuch Prize or Prizes, Officers, or Men, as aforeſaid, ſhall be Firſt brought; any thing in the ſaid Act contained to the contrary thereof in any wiſe notwithſtanding. We, taking the Premiſſes into Conſideration, do, purſuant to the ſaid Act of Parliament (with the Advice of Our Privy Council) by this Our Proclamation, order, direct, and appoint, That the Neat Produce of all Prizes taken by Our Ships of War, and Bounty Money for the taking, ſinking, burning, or otherwiſe deſtroying the Enemies Ships of War, or Privateers, be divided into Eight equal Parts, and be diſtributed in Manner following; that is to ſay, To the Captain or Captains of any of Our Ships of War, who ſhall be actually on Board at the taking of any Prize, or at the taking, ſinking, burning, or deſtroying any of the Enemies Ships of War, or Privateers, Three Eighth Parts; but in caſe any ſuch Prize ſhall be taken, or Ship of War, or Privateer, of the Enemy, be taken, ſunk, burnt, or deſtroyed, by any of Our Ship or Ships of War, under the Command of a Flag or Flags, the Flag Officer or Officers being actually on Board, or directing and aſſiſting in the Capture, to have One of the ſaid Three Eighth Parts; the ſaid One Eighth Part to be paid to ſuch Flag or Flag Officers, in ſuch Proportions, and ſubject to ſuch Regulations, as are herein after for that Purpoſe mentioned. To the Captains of Marines and Land Forces, Sea Lieutenants and Maſter, on Board any ſuch Ships, One Eighth Part, to be equally divided amongſt them: To the Lieutenants and Quarter Maſters of Marines, and Lieutenants, Enſigns, and Quarter Maſters of Land Forces, Boatſwain, Gunner, Purſer, Carpenter, Maſter's Mate, Chirurgeon, Pilot, and Chaplain, on Board any ſuch Ship, One Eighth Part, to be equally divided amongſt them: To the Midſhipmen, Secretary to Flag Officers, Captain's Clerk, Maſter Sail Maker, Carpenter's Mates, Boatſwain's Mates, Gunner's Mates, Maſter at Arms, Corporals, Yeomen of the Sheets, Coxſwain, Quarter Maſters, Quarter Maſters Mates, Chirurgeon's Mates, Yeomen of the Powder Room, and Serjeants of Marines, or Land Forces, on Board any ſuch Ships, One Eighth Part, to be equally divided amongſt them: To the Trumpeters Quarter Gunners, Carpenter's Crew, Steward, Cook, Armourer, Steward's Mate, Cook's Mate, Gunſmith, Cooper, Swabber, Ordinary Trumpeter, Barber, Able Seamen, Ordinary Seamen, and Marine or other Soldiers, and all other Perſons doing Duty, or aſſiſting on Board any ſuch Ships, Two Eighth Parts, to be equally divided amongſt them: And in caſe any Sea Captain, inferior Commiſſion or Warrant Sea Officers, belonging to any Ship of War, for whom any Shares of Prizes, or of the Bounty Money for Ships taken, ſunk, burnt, or deſtroyed, are hereby allowed, be abſent at the Time of the Capture of any Prize, or at the Capture, Burning, Sinking, or Deſtroying, any Ships of War, or Privateers, of the Enemy, the Share of ſuch Sea Captain, inferior Commiſſion or Warrant Sea Officer, ſhall be caſt into the Shares hereby allowed to the Trumpeters, Quarter Gunners, Carpenter's Crew, Steward, Cook, Armourer, Steward's Mate, Cook's Mate, Gunſmith, Cooper, Swabber, Ordinary Trumpeter, Barber, Able Seamen, Ordinary Seamen, and Marine or other Soldiers, and other Perſons doing Duty, or aſſiſting on Board any ſuch Ships, to be equally divided amonſt them. Provided, That if any Officer or Officers on Board any of Our Ships of War, at the Time of taking any ſuch Prizes, or at the taking, ſinking, burning, or deſtroying, any Ships of War, or Privateers, of the Enemy, ſhall have more Commiſſions or Offices than One, he or they ſhall be intitled only to the Share or Shares of the ſaid Prizes, and of the Bounty Money for the Enemy's Ships of War, or Privateers, taken, ſunk, burnt, or deſtroyed, which, according to the above-mentioned Diſtribution, ſhall belong to his or their reſpective ſuperior Commiſſions or Offices. And We do hereby ſtrictly enjoin all and every Commander and Commanders of any Ships of War taking any Prize, or taking, ſinking, burning, or deſtroying, any of the Enemy's Ships of War, or Privateers, as ſoon as may be, to tranſmit, or cauſe to be tranſmitted, to the Commiſſioners of Our Navy, a true Liſt of the Names of all the Officers, Seamen, Marines, Soldiers, or others, who were actually on Board Our Ships of War under his or their Command at the taking ſuch Prize, or at the taking, ſinking, burning, or deſtroying, any ſuch Ships of War, or Privateers, of the Enemy; which Liſt ſhall contain the Quality of the Service of each Perſon on Board, and be ſubſcribed by the Captain or Commanding Officer, and Three or more of the Chief Officers on Board. And We do hereby require and direct the Commiſſioners of Our Navy, or any Three or more of them, to examine, or cauſe to be examined, ſuch Liſts by the Muſter Books of ſuch Ships of War, and Liſts annexed thereto, to ſee that ſuch Liſt doth agree with the ſaid Muſter Book and annexed Liſts, as to the Names, Qualities, or Ratings of the Officers, Seamen, Marines, Soldiers, and others, belonging to ſuch Ship of War; and, upon Requeſt, forthwith to grant a Certificate of the Truth of any Liſt tranſmitted to them, to the Agents nominated and appointed by the Captors, purſuant to the ſaid Act, to take care or diſpoſe of ſuch Prize, or of ſuch Bounty Money for Ships taken, ſunk, burnt, or deſtroyed; and alſo, upon Application to them, to give, or cauſe to be given, unto the Agents who ſhall, at any Time or Times, be appointed as aforeſaid by the Captors, all ſuch Liſts from the Muſter Book of any ſuch Ships of War, and annexed Liſts, as the ſaid Agents ſhall find requiſite for their Direction in paying the Produce of ſuch Prizes, or the Bounty, in caſe any Bounty ſhall be due for taking the ſame, and to be otherwiſe aiding and aſſiſting to the ſaid Agents as ſhall be neceſſary. And as touching the ſaid One Eighth Part herein before-mentioned to be granted to the Flag or Flag Officers, who ſhall be actually on Board at the taking of any Prize, or at the taking, ſinking, burning, or deſtroying, any Ships of War, or Privateers, of the Enemy, or ſhall be directing and aſſiſting therein, We have thought fit, and do, by theſe Preſents, publiſh, order, and declare, That the following Regulations be obſerved; Firſt, That a Flag Officer commanding in Chief, where there is but One Flag Officer upon Service, ſhall have to his own Uſe the ſaid One Eighth Part of the Prizes taken, and Bounty Money for the Enemy's Ships taken, ſunk, burnt, or otherwiſe deſtroyed, by Ships under his Command: Secondly, That a Flag Officer, ſent to command at *Jamaica*, or elſewhere, ſhall have no Right to any Share of the Prizes taken, or Bounty Money for Ships taken, ſunk, burnt, or deſtroyed, by Ships employed there, before he arrives at the Place to which he is ſent, and actually takes upon him the Command: Thirdly, That when an inferior Flag Officer or private Ships are ſent out to reinforce a ſuperior Flag Officer at *Jamaica*, or elſewhere, the ſaid ſuperior Flag Officer ſhall have no Right to any Share in the Prizes taken, or Bounty Money for Ships taken, ſunk, burnt, or deſtroyed, by them, before they arrive within the Limits of his Command, and actually receive ſome Orders from him: Fourthly, That a Chief Flag Officer returning home from *Jamaica*, or elſewhere, ſhall have no Share of the Prizes taken, or Bounty Money for Ships taken, ſunk, burnt, or deſtroyed, by the Ships left behind to act under another Command: Fifthly, That if a Flag Officer is ſent to command in the Out-ports of this Kingdom, he ſhall have no Share of the Prizes taken, or Bounty Money for Ships taken, ſunk, burnt, or deſtroyed, by Ships that ſailed from that Port by Order from the Admiralty: Sixthly, That when more Flag Officers than One ſerve together, the Eighth Part of the Prizes taken, and Bounty Money for the taking, ſinking, burning, or deſtroying, Ships of War, or Privateers, of the Enemy, by any Ships of the Fleet, or Squadron, ſhall be divided in the following Proportions; *videlicet*, If there be but Two Flag Officers, the Chief ſhall have Two Third Parts of the ſaid One Eighth Part, and the other ſhall have the remaining Third Part; but if the Number of Flag Officers be more than Two, the Chief ſhall have only One Half, and the other Half ſhall be divided equally among the other Flag Officers: Seventhly, That Commodores, with Captains under them, ſhall be eſteemed as Flag Officers, with reſpect to their Right to an Eighth Part of Prizes taken, and Bounty Money for Ships taken, ſunk, burnt, or deſtroyed, whether commanding in Chief, or ſerving under Command.

or their Command at the taking such Prize, or at the taking, sinking, burning, or destroying, any such Ships of War, or Privateers, of the Enemy; which List shall contain the Quality of the Service of each Person on Board, and be subscribed by the Captain or Commanding Officer, and Three or more of the Chief Officers on Board. And We do hereby require and direct the Commissioners of Our Navy, or any Three or more of them, to examine, or cause to be examined, such Lists by the Muster Books of such Ships of War, and Lists annexed thereto, to see that such List doth agree with the said Muster Book and annexed Lists, as to the Names, Qualities, or Ratings of the Officers, Seamen, Marines, Soldiers, and others, belonging to such Ship of War; and, upon Request, forthwith to grant a Certificate of the Truth of any List transmitted to them, to the Agents nominated and appointed by the Captors, pursuant to the said Act, to take care or dispose of such Prize, or of such Bounty Money for Ships taken, sunk, burnt, or destroyed; and also, upon Application to them, to give, or cause to be given, unto the Agents who shall, at any Time or Times, be appointed as aforesaid by the Captors, all such Lists from the Muster Book of any such Ships of War, and annexed Lists, as the said Agents shall find requisite for their Direction in paying the Produce of such Prizes, or the Bounty, in case any Bounty shall be due for taking the same, and to be otherwise aiding and assisting to the said Agents as shall be necessary. And as touching the said One Eighth Part herein before-mentioned to be granted to the Flag or Flag Officers, who shall be actually on Board at the taking of any Prize, or at the taking, sinking, burning, or destroying, any Ships of War, or Privateers, of the Enemy, or shall be directing and assisting therein, We have thought fit, and do, by these Presents, publish, order, and declare, That the following Regulations be observed; First, That a Flag Officer commanding in Chief, where there is but One Flag Officer upon Service, shall have to his own Use the said One Eighth Part of the Prizes taken, and Bounty Money for the Enemy's Ships taken, sunk, burnt, or otherwise destroyed, by Ships under his Command: Secondly, That a Flag Officer, sent to command at *Jamaica*, or elsewhere, shall have no Right to any Share of the Prizes taken, or Bounty Money for Ships taken, sunk, burnt, or destroyed, by Ships employed there, before he arrives at the Place to which he is sent, and actually takes upon him the Command: Thirdly, That when an inferior Flag Officer or private Ships are sent out to reinforce a superior Flag Officer at *Jamaica*, or elsewhere, the said superior Flag Officer shall have no Right to any Share in the Prizes taken, or Bounty Money for Ships taken, sunk, burnt, or destroyed, by them, before they arrive within the Limits of his Command, and actually receive some Orders from him: Fourthly, That a Chief Flag Officer returning home from *Jamaica*, or elsewhere, shall have no Share of the Prizes taken, or Bounty Money for Ships taken, sunk, burnt, or destroyed, by the Ships left behind to act under another Command: Fifthly, That if a Flag Officer is sent to command in the Out-ports of this Kingdom, he shall have no Share of the Prizes taken, or Bounty Money for Ships taken, sunk, burnt, or destroyed, by Ships that sailed from that Port by Order from the Admiralty: Sixthly, That when more Flag Officers than One serve together, the Eighth Part of the Prizes taken, and Bounty Money for the taking, sinking, burning, or destroying, Ships of War, or Privateers, of the Enemy, by any Ships of the Fleet, or Squadron, shall be divided in the following Proportions; *videlicet*, If there be but Two Flag Officers, the Chief shall have Two Third Parts of the said One Eighth Part, and the other shall have the remaining Third Part; but if the Number of Flag Officers be more than Two, the Chief shall have only One Half, and the other Half shall be divided equally among the other Flag Officers: Seventhly, That Commodores, with Captains under them, shall be esteemed as Flag Officers, with respect to their Right to an Eighth Part of Prizes taken, and Bounty Money for Ships taken, sunk, burnt, or destroyed, whether commanding in Chief, or serving under Command.

Given at Our Court at *Kensington*, the Seventh Day of *July*, 1756, in the Thirtieth Year of Our Reign.

God save the King.

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